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8 **BEFORE THE**
VETERINARY MEDICAL BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. AV 2011 21

11 **ROMEO S. VENERACION, AKA**
12 **ROMERO SANITA VENERACION**
2180 Edinboro Avenue
13 Claremont, CA 91711
Veterinary Technician Registration No.
14 5042

A C C U S A T I O N

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Susan M. Geranen ("Complainant") brings this Accusation solely in her official
20 capacity as the Executive Officer of the Veterinary Medical Board, Department of Consumer
21 Affairs.

22 2. On or about October 31, 1997, the Veterinary Medical Board issued Veterinary
23 Technician Registration Number 5042 to Romeo S. Veneracion, aka Romero Sanita Veneracion
24 ("Respondent"). The Veterinary Technician Registration Number was in full force and effect at
25 all times relevant to the charges brought herein and will expire on July 31, 2011, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Veterinary Medical Board ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.

4. Section 490 of the Code states, "A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code."

6. Section 4883 of the Code states, in pertinent part:

"The board may deny, revoke, or suspend a license or registration or assess a fine as provided in Section 4875 for any of the following:

(a) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, surgery, or dentistry, in which case the record of the conviction shall be conclusive evidence.

...

(g) Unprofessional conduct, that includes, but is not limited to, the following:..."

7. Section 4885 of the Code states, "A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense related to the practice of veterinary medicine or the practice of a veterinary technician is deemed to be a conviction within the meaning of this article. The board may order the license or registration to be suspended or revoked, or assess a fine as provided in Section 4883 or may decline to issue a license or registration, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of

1 sentence, irrespective of a subsequent order under the provisions of Section 1203.4, 1210.1, or
2 3063.1 of the Penal Code allowing that person to withdraw his or her plea of guilty and to enter a
3 plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information,
4 or indictment.”

5 REGULATORY PROVISIONS

6 8. California Code of Regulations, title 16, section 2040, states, in pertinent part:

7 “For the purposes of denial, suspension, or revocation of a license pursuant to
8 Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be
9 substantially related to the qualifications, functions or duties of a person holding a license under
10 Chapter 11 of Division 2 of the code if to a substantial degree it evidences present or potential
11 unfitness of a person holding a license to perform the functions authorized by his or her license in
12 a manner consistent with the public health, safety or welfare. . . .”

13 FIRST CAUSE FOR DISCIPLINE

14 (Criminal Conviction)

15 9. Respondent is subject to disciplinary action under sections 490 and 4883 (a) of the
16 Code, as defined in California Code of Regulations, title 16, section 2040, in that Respondent was
17 convicted of a crime substantially related to the qualifications, functions, or duties of a
18 veterinarian as follows:

19 10. On or about October 16, 2007, in the criminal matter entitled *People vs. Romero*
20 *Sanita Veneracion* (Super. Ct. San Bernardino, 2007 No. FWV 700990), Respondent was
21 convicted of violating Health and Safety Code section 11358, cultivation of marijuana, a felony.
22 Respondent was placed on formal supervised probation for a period of three years, was ordered to
23 serve 120 days in jail, and was ordered to comply with all directives of his probation officer. The
24 basis for the conviction is that on or about May 10, 2007, deputies with the San Bernardino
25 Sheriff's Office served a search warrant at Respondent's residence. Inside of Respondent's
26 residence, deputies found and extensive indoor marijuana cultivation operation, along with
27 evidence that Respondent had been using an electrical bypass system to divert electricity from a
28 neighboring electrical source.

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11. Respondent is subject to disciplinary action under section 4883 (g) of the Code for unprofessional conduct in that Respondent committed unlawfully cultivated marijuana as more fully described in paragraph 10, above, and herein incorporated by reference.

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Veterinary Medical Board issue a decision:

1. Revoking or suspending Veterinary Technician Registration Number 5042, issued to Romeo S. Veneracion, aka Romero Sanita Veneracion;
2. Ordering Romeo S. Veneracion, aka Romero Sanita Veneracion to pay the Veterinary Medical Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

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SUSAN M. GERANEN
Executive Officer
Veterinary Medical Board
Department of Consumer Affairs
State of California
Complainant

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